



House of Representatives

File No. 720

General Assembly

February Session, 2014

(Reprint of File No. 141)

House Bill No. 5305
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 30, 2014

AN ACT CONCERNING CADMIUM LEVELS IN CHILDREN'S JEWELRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-12d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) As used in this section:

4 (1) "Cadmium" means elemental cadmium and any compounds or
5 alloys which contain cadmium; and

6 (2) "Children's jewelry" means any jewelry, including charms,
7 bracelets, pendants, necklaces, earrings or rings, and any component
8 thereof, that is designed or intended to be worn or used by children
9 twelve years of age or younger.

10 (b) [Except as provided in subsection (c) of this section, on] On and
11 after July 1, [2014] 2016, no person shall manufacture, sell, offer for sale
12 or distribute in this state any children's jewelry that contains cadmium

13 at more than .0075 per cent by weight.

14 (c) The provisions of this section may be enforced, within available
15 appropriations, by the Commissioner of Consumer Protection.

16 Sec. 2. (*Effective from passage*) (a) There is established a task force to
17 study the threshold at which cadmium is safe in children's jewelry. The
18 task force shall consist of the following members:

19 (1) One appointed by the speaker of the House of Representatives,
20 who shall represent the jewelry manufacturing industry;

21 (2) One appointed by the president pro tempore of the Senate, who
22 shall represent a not-for-profit organization promoting children's
23 health and safety;

24 (3) One appointed by the majority leader of the House of
25 Representatives, who shall be a chemist with expertise in the
26 bioavailability of heavy metals and shall serve as an ex-officio member
27 of the task force;

28 (4) One appointed by the majority leader of the Senate, who shall be
29 a member of a child advocacy group;

30 (5) One appointed by the minority leader of the House of
31 Representatives, who shall be a municipal public health director and
32 shall serve as an ex-officio member of the task force;

33 (6) One appointed by the minority leader of the Senate, who shall
34 represent a jewelry retail business or association in the state;

35 (7) The House chairpersons of the joint standing committees of the
36 General Assembly having cognizance of matters relating to children
37 and general law, or the chairpersons' designees;

38 (8) The Senate chairpersons of the joint standing committees of the
39 General Assembly having cognizance of matters relating to children
40 and general law, or the chairpersons' designees;

41 (9) The House ranking members of the joint standing committees of
42 the General Assembly having cognizance of matters relating to
43 children and general law, or the ranking members' designees;

44 (10) The Senate ranking members of the joint standing committees
45 of the General Assembly having cognizance of matters relating to
46 children and general law, or the ranking members' designees;

47 (11) The Commissioner of Consumer Protection, or the
48 commissioner's designee; and

49 (12) The Commissioner of Public Health, or the commissioner's
50 designee.

51 (b) Any member of the task force appointed under subdivisions (1)
52 to (10), inclusive, of subsection (a) of this section may be a member of
53 the General Assembly.

54 (c) All appointments to the task force shall be made not later than
55 thirty days after the effective date of this section. Any vacancy shall be
56 filled by the appointing authority.

57 (d) The House chairpersons of the joint standing committees of the
58 General Assembly having cognizance of matters relating to children
59 and general law shall serve as the chairpersons of the task force. Such
60 chairpersons shall schedule the first meeting of the task force, which
61 shall be held not later than sixty days after the effective date of this
62 section.

63 (e) The administrative staff of the joint standing committees of the
64 General Assembly having cognizance of matters relating to children
65 and general law shall serve as administrative staff of the task force.

66 (f) Not later than January 15, 2015, the task force shall submit a
67 report, in accordance with the provisions of section 11-4a of the general
68 statutes, on its findings and recommendations to the joint standing
69 committees of the General Assembly having cognizance of matters
70 relating to children, general law and public health. The task force shall

- 71 terminate on the date that it submits such report or January 15, 2015,
72 whichever is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21a-12d
Sec. 2	<i>from passage</i>	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Various State Agencies	GF - Cost	less than 1,000	None
Consumer Protection, Dept.	GF - Delays Cost	11,250	11,250

Municipal Impact: None

Explanation

The bill delays costs of \$11,250 until FY 17 associated with testing for elemental cadmium in children's jewelry. Under current law the testing for elemental cadmium in children's jewelry would commence on July 1, 2014. The bill delays the cost of testing for two years. It is estimated that approximately 75 tests per year would be done at a cost of \$150 per test.

Additionally the bill may result in a cost of less than \$1,000 in FY 15 to those agencies participating in the task force to reimburse legislators and agency staff for mileage expenses.

House "A" (LCO 4488) resulted in the cost associated with the task force.

The Out Years

None

OLR Bill Analysis**HB 5305 (as amended by House "A")******AN ACT CONCERNING CADMIUM LEVELS IN CHILDREN'S JEWELRY.*****SUMMARY:**

This bill delays, for two years, the ban on manufacturing, selling, offering for sale, or distributing in Connecticut children's jewelry containing more than .0075% (by weight) of elemental cadmium, or compounds or alloys containing it. Under current law, the ban begins July 1, 2014.

By law, children's jewelry means jewelry designed or intended to be worn or used by children under age 13. It includes charms, bracelets, pendants, necklaces, earrings, or rings, and any of their components.

The bill also establishes a 16-member task force to study the threshold at which cadmium is safe in children's jewelry. The task force must report to the Children's, General Law, and Public Health committees by January 15, 2015.

*House Amendment "A" establishes the task force.

EFFECTIVE DATE: Upon passage

TASK FORCE

Task force members include:

1. the commissioners of consumer protection and public health, or their designees;
2. the Children's and General Law committee chairpersons and

- ranking members, or their designees;
3. a jewelry manufacturing industry representative appointed by the House speaker;
 4. a representative of a nonprofit organization promoting children's health and safety, appointed by the Senate president pro tempore;
 5. a chemist with expertise in the bioavailability of heavy metals, appointed by the House majority leader;
 6. a child advocacy group member appointed by the Senate majority leader;
 7. a municipal public health director appointed by the House minority leader; and
 8. a state jewelry retail business or association representative appointed by the Senate minority leader.

The chemist and health director serve as ex-officio task force members.

The bill requires all appointments to be made within 30 days after its passage and it allows task force members to be General Assembly members. The appointing authority must fill any vacancy.

The Children's and General Law committees' House chairpersons must (1) serve as the task force chairpersons and (2) schedule the first meeting within 60 days after the bill's passage. The Children's and General Law committee administrative staffs serve as the task force's administrative staff.

Under the bill, the task force must report its findings and recommendations to the Children's, General Law, and Public Health committees by January 15, 2015. It terminates on the date it submits the report or January 15, 2015, whichever is later.

BACKGROUND

Cadmium

The U. S. Department of Health and Human Services has determined that cadmium and its compounds are human carcinogens. A few studies in animals indicate that the young absorb more cadmium than adults. Animal studies also indicate that the young are more susceptible than adults to a loss of bone and decreased bone strength from exposure to cadmium.

Related Bill

SB 84 (File 219), favorably reported by the General Law Committee, bans the manufacture, sale, offer for sale, or distribution of children's jewelry that exceeds the applicable ASTM standard for children's jewelry.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 7 Nay 5 (03/11/2014)